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Letter dated 3 February 2009 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The work programme for the Committee established pursuant to paragraph 6 of Security Council resolution 1373 (2001), covering the period from 1 January to 30 June 2009 is annexed hereto (see annex).

The activities of the Committee will proceed pursuant to the provisions of Security Council resolutions 1373 (2001), 1535 (2004), 1566 (2004), 1624 (2005) and 1805 (2008).

The Committee will continue to work with Member States on the implementation of resolution 1373 (2001), guided by the principles of cooperation, transparency, even-handedness and consistency in approach. The Committee will remain focused on monitoring and promoting the implementation by Member States of resolution 1373 (2001) and on taking practical measures to enhance the counter-terrorism capacity of States, including measures aimed at facilitating technical assistance. The Committee has initiated a stocktaking exercise of progress made by Member States in the implementation of resolution 1373 (2001), based on updated preliminary implementation assessments. Furthermore, the Committee will maintain a dialogue with States on the implementation of Security Council resolution 1624 (2005), and it will continue to discuss its contribution to the implementation of the United Nations Global Counter-Terrorism Strategy.

The Counter-Terrorism Committee welcomes the support it has received from Member States, the United Nations Secretariat and international, regional and subregional organizations and appreciates the assistance of the Counter-Terrorism Committee Executive Directorate.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Neven **Jurica**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

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Annex

Work programme of the Counter-Terrorism Committee for the period from 1 January 2009 to 30 June 2009

I. Introduction

1. The Counter-Terrorism Committee is required to monitor and promote implementation by Member States of Security Council resolution 1373 (2001), in accordance with the provisions of the resolution. The Committee is further directed to include in its dialogue with Member States their efforts to implement Security Council resolution 1624 (2005).

2. In December 2006, in accordance with its decision of 21 December 2005 (S/PRST/2005/64), the Security Council conducted a comprehensive review of the Counter-Terrorism Committee Executive Directorate and endorsed the review report of the Counter-Terrorism Committee (S/2006/989). Together with the statement by the President of the Security Council of 20 December 2006 (S/PRST/2006/56), the review report constitutes guidance for the future work of the Committee and the Executive Directorate, notably providing the following:

(a) The guiding principles of the Committee's work shall be cooperation, transparency and even-handedness, as well as consistency in approach;

(b) The Committee shall continue to strengthen its relations with international, regional and subregional organizations in assisting States in their implementation of resolution 1373 (2001);

(c) The Committee shall work on identifying and promoting best practices in all key areas of resolution 1373 (2001);

(d) The Committee shall ensure that any measures taken by Member States to combat terrorism comply with all their obligations under international law, in particular international human rights law, refugee law and humanitarian law;

(e) The Committee shall attach great importance to coordination with experts from other counter-terrorism-related subsidiary bodies of the Security Council in preparing visits and in streamlining reporting;

(f) In the fulfilment of its mandate, the Committee shall be assisted by the Counter-Terrorism Committee Executive Directorate, under the policy guidance of the plenary. In this regard, the Executive Directorate will implement the policy guidance of the Committee through its tenth work programme (see appendix).

3. On 20 March 2008, the Security Council adopted resolution 1805 (2008), which constitutes further guidance for the work of the Committee and the Executive Directorate. In the resolution, the Security Council:

(a) Underlined that the overarching goal of the Committee is to ensure the full implementation of resolution 1373 (2001);

(b) Affirmed the endorsement by the Committee of the recommendations contained in the revised "Organizational plan for the Counter-Terrorism Committee Executive Directorate (S/2008/80)";

(c) Decided that the Executive Directorate will continue to operate as a special political mission under the policy guidance of the Committee for the period ending 31 December 2010 and further decided to conduct an interim review by 30 June 2009, and a comprehensive consideration of the work of the Executive Directorate prior to the expiration of its mandate;

(d) Directed the Committee to submit an annual report on the implementation of resolution 1373 (2001), with its observations and recommendations;

(e) Requested the Committee to report orally, through its Chairman, at least every 180 days to the Council on the overall work of the Committee and the Executive Directorate;

(f) Welcomed and emphasized the importance of the readiness of the Executive Directorate to participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy, including within the Counter-Terrorism Implementation Task Force, established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system.

II. Work programme

4. The Committee will focus its work on the priority objectives set out below.

A. Monitoring and promoting the implementation of resolution 1373 (2001)

5. The Committee and the Executive Directorate will collaborate actively with Member States to facilitate implementation of resolution 1373 (2001).

6. The Committee, on the basis of initial assessments by its subcommittees, will continue to consider the outstanding preliminary implementation assessments and to approve, where appropriate, recommendations prepared by the Executive Directorate. It will then send the preliminary implementation assessments and the recommendations to the Member States concerned, for the appropriate action, in accordance with the procedures for the updated working methods of the Committee.

7. On the basis of initial assessments by its subcommittees, the Committee will conduct the stocktaking exercise of progress made by Member States in the implementation of resolution 1373 (2001), on the basis of updated preliminary implementation assessments. The Committee will take stock of this progress on the basis of an existing tool, developed by the Executive Directorate, to track the sequence in which it will review the status of Member States' implementation.

8. On the basis of the survey of the implementation of Security Council resolution 1373 (2001) by Member States (see S/2008/379), adopted by the Committee and discussed by the Security Council, the Committee will initiate discussions on detected gaps and thematic issues, as well as elaborate possible additional practical proposals, in order to facilitate the implementation of the priority recommendations for the Committee's future action.

9. The Committee will consider a technical guide, prepared by the Executive Directorate on the basis of the work of the technical groups, that sets out the requirements and steps for implementing the provisions of resolution 1373 (2001)

and contributes to ensuring consistency and even-handedness in the work of the Committee.

10. In close cooperation with the Security Council Committees established pursuant to resolutions 1267 (1999) and 1540 (2004) and in accordance with its mandate, the Committee will pay special attention to States for which information on implementation of resolution 1373 (2001) is lacking, and discuss how best to address the issue.

11. The Committee will also continue to reflect on additional ways to address the cases of States that do not meet the requirements of resolution 1373 (2001).

12. The Committee will continue to follow the status of preparation of visits to be undertaken in the period from January 2009 to December 2010.

13. The Committee will take steps to ensure that visits conducted to States with their consent have the effect of enhancing their implementation of resolution 1373 (2001), assess the results of such visits and consider the appropriate follow-up action.

14. The Committee will consider the report prepared by the Executive Directorate on the follow-up of the fifth special meeting of the Committee, held in Nairobi in November 2007, and will initiate considerations of the modalities and format for a sixth special meeting of the Committee.

15. The Committee will conduct, on the basis of a report prepared by the Executive Directorate, an interim review of the Executive Directorate by 30 June 2009, in accordance with resolution 1805 (2008).

16. In order to enhance transparency, the Chairman of the Committee will hold periodic informal briefings for Member States, as appropriate, on the work of the Committee.

17. The Committee continues to call for the closest cooperation between the expert groups of the three Security Council Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004), including, as appropriate, on information-sharing and visits.

B. Facilitating technical assistance to States

18. The Committee will continue to pay close attention to facilitating technical assistance. In this context, the Committee will continue to look for opportunities to match current and potential donors/providers with recipients in order to enhance the dialogue between the donor community and recipient countries and to further the implementation of resolution 1373 (2001).

19. The Committee, including through the Executive Directorate, will intensify cooperation with relevant international, regional and subregional organizations with a view to enhancing Member States' capacity to fully implement resolution 1373 (2001) and to facilitate the provision of technical assistance.

C. Maintaining dialogue with States on the implementation of Security Council resolution 1624 (2005)

20. The Committee will continue to encourage States that have not yet submitted a report on their implementation of resolution 1624 (2005) to do so.

21. On the basis of the reports received from States and the information gathered during its on-site visits, the Committee will initiate a discussion to explore the needs of States for technical assistance in implementing resolution 1624 (2005) and facilitate the provision of such assistance, as appropriate.

D. Implementing the United Nations Global Counter-Terrorism Strategy

22. On the basis of the regular inputs of the Executive Directorate on its participation in the activities of the Counter-Terrorism Implementation Task Force, the Committee will continue to contribute to the implementation of the United Nations Global Counter-Terrorism Strategy.

23. The Committee will continue its discussions on issues related to the implementation of the Global Strategy.

III. Next work programme

24. By the end of June 2009, the Committee will formulate and agree on an updated work programme for the period from 1 July to 31 December 2009.

Appendix

Work programme of the Counter-Terrorism Committee Executive Directorate for the period from 1 January to 30 June 2009

I. Introduction

1. The work programme of the Counter-Terrorism Committee Executive Directorate, which covers the period from 1 January to 30 June 2009, has been prepared in accordance with the relevant provisions of the report of the Counter-Terrorism Committee on its revitalization (S/2004/124), and takes into account the work programme of the Committee for the same period.

2. The Executive Directorate will continue to help the Committee to achieve its objectives in the areas defined in the Committee's work programme; to report regularly to the Committee on its work, including in its semi-annual report; and to respond to any additional requests made during the reporting period.

II. Monitoring and promoting implementation of Security Council resolution 1373 (2001)

3. The Executive Directorate will submit to the subcommittees, for consideration and further submission to the Committee, files of at least 140 Member States, including cover notes, draft letters and preliminary implementation assessments. The Executive Directorate will continue to prepare the necessary files for the stocktaking exercise. The Executive Directorate will also continue to hold meetings with Member States in order to discuss issues relating to the preliminary implementation assessments, the implementation of resolution 1373 (2001) and technical assistance.

4. In close cooperation with the relevant international, regional and subregional organizations, the Executive Directorate will prepare and conduct visits to at least 12 Member States, with their consent, as approved by the Committee. It will continue to update the Committee on a regular basis regarding follow-up to its previous visits to Member States.

5. The Executive Directorate will finalize a technical guide to resolution 1373 (2001), which will set out the requirements and steps for implementing the provisions of the resolution and help to ensure full consistency and even-handedness in the work of the Executive Directorate and the Committee.

6. The Executive Directorate will enhance its cooperation with the relevant United Nations bodies, including the Monitoring Team of the Security Council Committee established pursuant to resolution 1267 (1999) and the Expert Group of the Security Council Committee established pursuant to resolution 1540 (2004), as well as with various international, regional and subregional organizations, including in the context of the Committee's visits to Member States.

7. In that context, the Executive Directorate will extend promotion of the common strategy for non-reporting/late-reporting States, jointly developed with the Monitoring Team of the Committee established pursuant to resolution 1267 (1999) and the Expert Group of the Committee established pursuant to resolution 1540

(2004), beyond Africa. A workshop, similar to previous workshops held in Senegal and Botswana in 2007 and in Nairobi in 2008, for Member States in south-west Asia on the drafting of responses to the three Security Council Committees dealing with counter-terrorism, will be developed in cooperation with the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime (UNODC). The Executive Directorate will also continue developing with those bodies a common strategy to deal with international, regional and subregional organizations.

8. Under the guidance of the Committee, the Executive Directorate will participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy, including through active involvement in the integrated implementation initiative of the Counter-Terrorism Implementation Task Force.

9. The Executive Directorate will present to the Committee the second report on the follow-up of the fifth special meeting of the Committee, held in Nairobi in November 2007, and will assist in initiating considerations of the modalities and format for a sixth special meeting of the Committee.

10. The Executive Directorate, through a report prepared by it, will assist the Committee in conducting an interim review of the Executive Directorate by 30 June 2009, in accordance with resolution 1805 (2008).

III. Facilitating technical assistance to States

11. The Executive Directorate will intensify its efforts to facilitate the provision of technical assistance to States in which vulnerabilities have been identified, by strengthening its relations with bilateral and multilateral donors and by developing innovative strategies to link recipients and donors.

12. The Executive Directorate will maintain and regularly update the technical assistance matrix posted on the website, the password protection system for access to different parts of the matrix, and the directory of donors and providers of assistance.

13. The Executive Directorate will continue to identify, post on the website and actively promote best practices in all key areas of resolution 1373 (2001), in accordance with the action plan approved by the Committee.

14. The Executive Directorate will strengthen its engagement with international, regional and subregional organizations in all parts of the world in order to assist them in preparing and/or implementing relevant counter-terrorism action plans and to involve them more directly in addressing the States' capacity-building needs, as identified by the Committee through the preliminary implementation assessments and the country visits.

15. The Executive Directorate will continue to actively develop relations with new and existing donors, particularly through engagement with the Counter-Terrorism Action Group and the European Union, with a view to creating an environment conducive to the facilitation of technical assistance. Meetings with donors that were launched during the final quarter of 2008 with the aim of providing a detailed explanation of the revised technical assistance strategy of the Executive Directorate

and of discussing areas in which they might be able to provide technical assistance, will continue during 2009.

IV. Implementation of Security Council resolution 1624 (2005)

16. The Executive Directorate will continue to include the issue of the implementation of Security Council resolution 1624 (2005) in its dialogue with States, and will actively encourage those States that have not yet submitted a report on their implementation of the resolution to do so. The Executive Directorate will assist the Committee in initiating a discussion on exploring the needs of States for technical assistance in implementing resolution 1624 (2005) and facilitating the provision of such assistance, as appropriate.

V. Information and Administration Office

17. The Executive Directorate will seek to ensure that all documentation and reporting submitted to the Committee is accurate, consistent and in conformity with the Committee's decisions. The Executive Directorate will continue to implement a more proactive communications strategy, through its Public Communications and Outreach Unit, so as to facilitate better understanding of the work of the Committee and the Executive Directorate. The Executive Director will participate in briefings to this effect, aimed in particular at the wider United Nations membership.

18. The Executive Director will continue to chair regular (weekly) meetings of the entire staff in order to encourage greater communication within the Directorate and to ensure that all staff members are fully informed of the priorities and activities of the Committee and the Executive Directorate. These meetings will also be used to review general issues of relevance to the Committee's work, with the aim of both encouraging a more creative and dynamic approach to the work of the Executive Directorate and generating new ideas on how the Organization might more effectively address the evolving terrorist threat.

19. The Information and Administration Office will continue to augment and update the Committee's website and increase the number of hyperlinks provided to the websites of the United Nations and other entities with counter-terrorism mandates. The Office will continue to maintain the Committee's website in all six official languages of the United Nations.

20. The Information and Administration Office will continue to review and organize logistical arrangements for the Committee's visits to Member States, including comprehensive assessment missions. The Executive Directorate will also consider expending travel resources, on a case-by-case basis, on the participation of experts of key international organizations in the Committee's visits whenever such experts would not otherwise be able to participate.

21. As outlined in the Executive Directorate budget document for 2009, the Information and Administration Office will help to organize two workshops of the Executive Directorate in the coming period and will liaise with UNODC and other partner international organizations to finance and sponsor additional workshops and conferences related to the mandate of the Executive Directorate.

22. The Executive Directorate will fill all vacancies in the Professional and General Service categories, particularly the two new Associate Political Officer positions and one Senior Legal Officer position now open. The Information and Administration Office will supervise end-of-cycle evaluations in the electronic performance appraisal system (e-PAS) for all staff of the Executive Directorate, and help all staff members participating in the new voluntary initiative for network exchange to promote mobility through lateral transfers of staff in networked groups, such as the political, peace and security occupational network. The Information and Administration Office also work closely with the Office of Human Resources Management to implement the new talent management system that will affect the recruitment and retention of all United Nations Secretariat staff starting in mid-2009.

23. The Information and Administration Office will prepare a new 2009-2010 human resources action plan for submission to the Office of Human Resources Management concerning achievement of goals related to gender balance, geographic distribution of staff and vacancy rates, mobility, performance management, staff development and training, and staff management relations.

24. The Information and Administration Office will begin to consider the financial resource requirements of the Executive Directorate for 2010, in anticipation of preparing an early budget document for submission to the Comptroller, which may include a request for funding new positions currently not covered by its budget.

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Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (for the period from 9 July 2008 to 20 January 2009)

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1802 (2008), by which the Council extended the mandate of the United Nations Integrated Mission in Timor-Leste (UNMIT) until 26 February 2009. It covers major developments in Timor-Leste and the implementation of the Mission's mandate since my report of 29 July 2008 (S/2008/501).

2. As at 20 January 2009, UNMIT consisted of a civilian component comprising 340 international staff (122 women), 874 national staff (158 women), 1,510 police officers (74 women) and 31 military liaison and staff officers (2 women). The United Nations country team consisted of 254 international staff (111 women) and 508 national staff (133 women). My Special Representative, Atul Khare, continued to lead the Mission and to coordinate with United Nations system actors and other stakeholders. He was assisted by the Deputy Special Representative for Governance Support, Development and Humanitarian Coordination, Finn Reske-Nielsen, who also acts as officer-in-charge in the absence of my Special Representative, and by the Deputy Special Representative for Security Sector Support and Rule of Law, Takahisa Kawakami, who took up his functions on 2 November. UNMIT has continued its integrated "one United Nations system" approach and made significant progress in achieving integration across all relevant areas of the mandate. The joint efforts of UNMIT and the United Nations country team have been instrumental in providing coordinated policy, political, technical and financial support to help Timor-Leste accomplish its goals.

II. Political and security developments since July 2008

3. The present reporting period marked an important stage in the recovery from the 2006 crisis and a return to normalcy following the events of 11 February 2008 (see S/2008/501, para. 3). The security situation remained calm and security arrangements generally followed constitutional and legal parameters since the lifting of the states of exception introduced as a result of the attacks in February on the President, José Ramos-Horta, and the Prime Minister, Kay Rala Xanana Gusmão (see S/2008/501, paras. 4-6). Gastão Salsinha, an associate of the late former

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Military Police Commander of the Falintil-Forças de Defesa de Timor-Leste (F-FDTL), and his group who surrendered to State authorities (see S/2008/501, para. 5) remained in custody while the Prosecutor-General continued criminal investigations. The Government also made remarkable progress in addressing the two major residual consequences of the 2006 crisis — the F-FDTL "petitioners" and the internally displaced persons (see S/2008/501, para. 7) — even though further sustained efforts are needed to ensure durable solutions. After having accepted their first tranche of payments in July, the petitioners who had gathered in the Aitarak Laran camp in Dili had, by 1 August, returned to their homes. In the second half of October, they received their second and final tranche. There were no incidents affecting their reintegration into civilian life. The return of internally displaced persons accelerated dramatically (see para. 45 below), with the result that, as at 20 January, 54 out of the 63 internally displaced persons camps in Dili and Baucau had been closed, without significant incident.

4. On 30 July, the Parliament approved an increase in the budget to $788.3 million for the fiscal year ending on 31 December 2008, to be funded mostly through a withdrawal of $686.8 million from the Petroleum Fund. It included the allocation of $240 million to an economic stabilization fund, one of whose objectives was to ensure the supply of critical commodities at affordable prices, partly in response to the global food crisis. On 13 November, the Court of Appeal, the highest judicial organ in the country in the absence of a Supreme Court, declared the allocation of $240 million to the Fund to be unconstitutional. The Court also ruled that any withdrawal without adequate justification to the Parliament in excess of $396.1 million (representing the 3 per cent estimated sustainable income) from the Petroleum Fund was in violation of the petroleum law. Given that the ruling was not retroactive and came towards the end of the fiscal year, it had limited practical effect; as at 31 December, $396 million had been withdrawn from the Petroleum Fund.

5. The Court decision was a landmark event in Timor-Leste, as the first major ruling against a piece of legislation since the crisis of 2006. Despite initial criticism about the role of international judges who sit on the Court, on 20 November, President Ramos-Horta made an unequivocal public statement that the decision of the Court must be respected. This was an important contribution towards strengthening respect for the Constitution, separation of powers and rule of law.

A. Support for dialogue and reconciliation

6. Timor-Leste showed strong resilience after the shock of the attacks of 11 February. The rapid stabilization of the security situation created the space necessary for renewed national attention to security sector reform, the further strengthening of the rule of law and democratic governance, and socio-economic development. My Special Representative encouraged constructive steps to gain broad consensus on these major issues, promoting consultative processes that include a broad range of stakeholders and take advantage of the range of experiences and expertise available to Timor-Leste. He continued his regular weekly meetings with the President and Prime Minister and started to meet on a weekly basis with the President of Parliament, Fernando "Lasama" de Araújo, as well. During the period under review, two expanded meetings of the High-level

Coordination Committee and six meetings of the Trilateral Coordination Forum (see S/2008/501, para. 9) were held.

7. My Special Representative also continued his regular meetings with the Secretary-General of the Frente Revolucionária do Timor-Leste Independente (Fretilin), Mari Alkatiri, as the leader of the party with the largest number of seats in Parliament, as well as his regular meetings with civil society. He continued to call monthly meetings (now a total of 21) with representatives of all the political parties, including those without parliamentary representation, providing them with a venue to discuss national issues collectively. He also held a series of individual meetings with political party leaders, where he emphasized the importance of constructive political dialogue and cooperation on national priority issues. My Deputy Special Representative for Governance Support, Development and Humanitarian Coordination continued his weekly meetings with the Deputy Prime Minister, while my newly arrived Deputy Special Representative for Security Sector Support and Rule of Law continued regular meetings of UNMIT with the Secretary of State for Security, an important opportunity to discuss issues relating to the police and the security sector. In all of these meetings, UNMIT encouraged the adoption of decisions that reinforce the foundations of long-term stability and the strengthening of democratic governance, provided constructive feedback on the implementation of such decisions, and made available the United Nations good offices and resources as necessary to facilitate their implementation.

8. Fretilin continued to play an important role within Parliament. However, the party also continued to refuse to recognize the legitimacy of the Alliance for a Parliamentary Majority (AMP) Government (see S/2007/513, para. 4). The public tone and discourse adopted by some members of Fretilin and the AMP coalition contributed, at times, to public uncertainty about the country's political stability. While frank debate is a necessary element of the democratic governance process, the inflammatory rhetoric between some leaders has a negative impact on all of society, hardening positions and increasing tensions between followers, and raising the anxiety level of the general public.

9. President Ramos-Horta has made laudable efforts to create opportunities for the opposition to make contributions to issues of national interest. On 9 October, in an address to the Parliament, the President called for the opposition to be included in the management arrangements for the economic stabilization fund. Subsequently, on 21 November, the President convened a meeting with the Prime Minister and the Secretary-General of Fretilin at which they agreed to continue regular discussions every three weeks. On 19 November, the Office of the President signed a memorandum of understanding with the Centre for Humanitarian Dialogue for a dialogue process to achieve consensus on issues of national importance. These were important initiatives to reinforce consultative approaches. My Special Representative supported these initiatives, including by reminding the political leaders of their commitment to ensure a meaningful role for the opposition, as set out in the political party accord signed on 25 May 2007 (see S/2007/513, para. 7). Dialogue and reconciliation efforts also continued at the local level. Seven Government dialogue teams (five in Dili and two in the districts) were established with the support of the United Nations Development Programme (UNDP). As at 31 December, the teams had successfully facilitated 45 preparatory meetings, building up to 16 community dialogue meetings. A total of 392 mediations have been supported by the teams, with 245 cases requiring support to develop negotiated

settlement, of which 231 have been resolved. The mediation and dialogue efforts focused primarily on issues related to returns of internally displaced persons (see S/2008/501, para. 46).

B. Enhancing democratic governance

10. UNMIT and the United Nations country team continued to engage in activities aimed at enhancing a culture of democratic governance, including improved accountability mechanisms and increased citizen participation. Eight democratic governance forums were jointly convened by the Prime Minister and my Special Representative as a follow-up to the national workshop on democratic governance held on 11 April (see S/2008/501, para. 12). During the forums, participants, including State officials, international development partners, civil society and leaders of political parties, discussed such issues as separation and balance of powers, public sector reform and political participation, including electoral processes. At the technical level, UNMIT and UNDP provided advice on legislation to establish a civil service commission and an anti-corruption commission. On 5 November, the Parliament ratified the United Nations Convention against Corruption.

11. UNMIT and the United Nations country team also provided support to the development of other important legislative frameworks. The United Nations Capital Development Fund and UNDP assisted the Government on the legislative framework for decentralization. On 13 November, the Government initiated a series of public consultations on a package of draft laws that will determine the future shape of local administration. The results of the consultations will be incorporated in the drafts before they are submitted to Parliament for approval.

12. UNMIT and UNDP formed a joint team on electoral support that continued to help strengthen the institutional capacity of the two electoral management bodies, the National Electoral Commission and the Technical Secretariat for Electoral Administration, and of political parties through four district resource centres and a training programme. This assistance included supporting an update of the voter registry and civic and voter education in preparation for village and municipal elections currently planned for 2009. In this regard, the Government has indicated that the electoral management bodies will need additional United Nations support. My Special Representative has received official requests from the Prime Minister and the President of the National Electoral Commission for technical, logistical and operational support, including security, communications and transport.

13. UNMIT also continued to assist in capacity-building for local journalists through radio internships, technical training sessions, on-the-job training and facilitation of regular press trips. The United Nations Educational, Scientific and Cultural Organization (UNESCO) supported training for print and radio journalists in September. In addition, UNDP provided support to the drafting of five media-related laws now before Parliament.

14. The third National Women's Congress, organized by the umbrella civil society organization Redefeto, was held from 10 to 12 September and provided the basis on which the Office of the Secretary of State for the Promotion of Equality is now coordinating the drafting of a national gender equality policy and strategy. The

involvement of women from all districts demonstrated civil society's engagement in the process of national policymaking.

C. Maintenance of public security

15. There was no change in the UNMIT police strength during this reporting period, with 1,510 officers (74 women) as at 20 January. Of these, 923 officers (including 140 in the Malaysian formed police unit, 139 in the Portuguese formed police unit and 36 in the Pakistani formed police unit) were deployed in Dili and 587 to other districts, including 139 in the Bangladeshi formed police unit (89 in Baucau and 50 in Viqueque) and 102 in the Pakistani formed police unit (80 in Bobonaro and 22 in Ermera). They continued to perform the mandated task of interim law enforcement, while pursuing efforts to support training, institutional development and strengthening of the national police, the Polícia Nacional de Timor-Leste.

16. The security situation remained generally calm. This can be attributed in part to proactive policing strategies adopted by the police but also to the active engagement of UNMIT with key political stakeholders. An average of 118 incidents of all types was reported each week, the majority of which were assaults, compared to 111 in the previous reporting period. (UNMIT has improved its reporting procedures to more accurately incorporate information on minor crimes. This new methodology has, to the extent possible, been applied retroactively to statistics for the previous reporting period, accounting for the new incident rate; see S/2008/501, para. 19.) Serious crime incidents decreased from four per week to two. There were no major public disturbances or spikes in violence. One of the major public security concerns is sexual and gender-based violence. Together with a local civil society organization, the Association for Law, Human Rights and Justice, the United Nations Development Fund for Women (UNIFEM) continued advocacy and awareness-raising on sexual and gender-based violence and the availability of support services, such as shelter, medical support and counselling through radio programmes, bulletins and public discussions in the border districts of Covalima and Bobonaro, which have the highest prevalence of sexual and gender-based violence among women and girls. The police also continued to undertake intensified patrols and community policing initiatives within communities where internally displaced families have resettled to assist in the creation of a favourable environment for local reconciliation.

17. The Government sponsored a six-week nationwide weapons collection campaign which ended on 31 August, and was coordinated through the Trilateral Coordination Forum. During this police-led effort, the campaign collected 864 homemade and other light firearms, such as air rifles; 48 explosive devices, such as grenades; 7,930 homemade weapons, such as darts; 9,116 rounds of ammunition; and 164 weapons of other types. They were destroyed in public ceremonies presided over by Government ministers on 24 October, celebrating United Nations Day.

18. With the disbanding of the Joint Command on 19 June, security arrangements returned to normalcy throughout the country. UNMIT police, working together with the national police, were responsible for internal security. The Government is considering giving F-FDTL a role in border security. F-FDTL is currently

establishing observer posts in Tilomar (Covalima) and Tonobibi (Bobonaro) and expects to deploy a 12-person team at each of these posts by March 2009. Two additional posts would then be established in Leila (Covalima) and Batugade (Bobonaro). The Timorese authorities have contacted their Indonesian counterparts in this regard to ensure transparency and good cooperation. A demarcation of roles and responsibilities between the national police and F-FDTL, based on broad consultations and appropriately codified into law, and the establishment of clear command and control arrangements between these security institutions and with other Timorese border agencies will be crucial. Relevant F-FDTL training would also be important.

19. The presence and activities of UNMIT military liaison officers in the border districts contributed to the stability of the security situation there, partly by facilitating effective working relationships between the border security agencies of Timor-Leste and Indonesia. Military liaison officers also continued to play an information-gathering role throughout all the districts of Timor-Leste. The presence of the international security forces, deployed to Timor-Leste by Australia and New Zealand, also contributed considerably to maintaining a secure environment. Cooperation between UNMIT and the international security forces continued to be good, particularly during major public events, including through support to the police, and in the return and relocation of internally displaced persons.

D. Support for and institutional strengthening of the security institutions

20. Continued efforts have led to further progress in the registration, screening and certification programme for the national police, in accordance with the "Policing Arrangement" (see S/2008/501, para. 15). Of the 3,108 provisionally certified national police officers, 2,644 officers (538 women), or 85 per cent of the force, have now become fully certified. The remaining officers are in different stages of the mentoring programme, except 171 (5 women) who have been found to have integrity issues. Of these, 99 (1 woman) require adjudication by the Timorese-led Evaluation Panel, and the remaining are in other stages of investigatory and inquiry processes (see S/2008/501, para. 20). However, the difficulty with infrequent meetings of the Evaluation Panel persists. An additional 117 officers (10 women) who were recruits during the crisis of April and May 2006 returned to the police academy, and on 20 November completed their basic training. Furthermore, 63 (11 women) out of the 73 (12 women) unregistered national police officers are still on the national police payroll list. The Government has been encouraged to make a decision regarding the unregistered officers, in accordance with the Policing Arrangement.

21. The Government and UNMIT have reached broad agreement on the resumption of policing responsibilities by the national police, beginning in 2009, in line with the reconstitution process described in the Policing Arrangement. While expected to start during the first half of 2009, the process will not be driven by a fixed timeline. It will unfold in a phased approach — district by district and unit by unit — in accordance with mutually agreed and clearly defined criteria, based on initial recommendations of the expert mission on policing, and support provided by the Standing Police Capacity of the Department of Peacekeeping Operations during a follow-up mission (see S/2008/501, para. 21). These agreed criteria are: (a) the

ability of the national police to respond appropriately to the security environment in a given district; (b) final certification of at least 80 per cent of eligible national police officers in a given district or unit to be handed over; (c) the availability of initial operational logistical requirements; and (d) institutional stability, which includes, inter alia, the ability to exercise command and control, and community acceptance. The readiness of the individual districts and units will be determined by a joint United Nations-Timorese assessment, possibly with the participation of independent expertise, based on indicators developed jointly by UNMIT police and their national counterparts, which will include adherence to human rights standards.

22. The process of resumption of responsibilities will lay the foundation for the long-term development of the national police and so must be approached in a deliberate manner to ensure the integrity and effectiveness of the process. Otherwise, there is a risk of a recurrence of events that overtook the national police in 2006 (see S/2006/628, para. 10). UNMIT police will thus play a crucial role in monitoring and tracking progress, while remaining available to advise and provide operational support, and, in extremis, reassuming interim law enforcement, if required and requested. To this end, a detailed and binding document, defining the specific roles of UNMIT police and the depth of the UNMIT-national police engagement in this next phase, must be agreed and in place prior to the start of the handover process. Until the national police force has been fully reconstituted, the UNMIT Police Commissioner retains overall command and control, but will delegate operational responsibility to the General Commander Designate of the national police over the districts and units that have been handed over. As the UNMIT police will continue to have significant responsibilities for interim law enforcement, in addition to their monitoring and advising role, it is proposed that they maintain their presence at current levels.

23. Ultimately, the success of police reconstitution and development will be dependent on the long-term commitment of the Government and the national police. Furthermore, an effective and smooth transition to bilateral assistance will be crucial.

E. Comprehensive review of the security sector

24. Since the signing of the security sector review project in June (see S/2008/501, para. 26), the project board, which includes members from the Office of the President, the Parliament, the Government, UNMIT and UNDP, and is chaired by the Secretary of State for Security, has met three times. The first project approved by the board was a training-of-trainers course for the unarmed Segurança Civil, the State's civil security service. The board also funded a seminar on security sector reform and development held on 11 and 12 December, a joint initiative of the President and the Government, supported by UNMIT and UNDP. The seminar brought together a range of national and international actors to discuss topics such as national security legislation and policy. It highlighted the linkages between development and security, the importance of civil oversight, rule of law, transparency and accountability, the need for clear command and control, and coordination. Future seminars are planned as a follow-up. On 15 January 2009, the board approved in principle a survey of public opinion on security issues. It also approved other capacity development activities including the maintenance of radio

communications equipment and the employment of experts to improve the oversight abilities of the Ministry of Defence and Security and the Parliament.

25. The Government made progress in drafting key legislation on national security, defence and internal security. UNMIT continued to support the Government in developing a national security policy, a process that continues to be mired in a lack of clarity about the relationship between the policy and the related legislation. Consultative initiatives, such as the recent seminar, have promoted progress in engaging a range of actors, including civil society and the opposition, in discussions about the future of the security sector. It is hoped that the Government will enhance its efforts in this regard.

III. Promotion of human rights and administration of justice

A. Support for monitoring, promotion and protection of human rights

26. Following the end of the states of exception and disbandment of the Joint Command, the number of allegations of ill-treatment and excessive use of force and intimidation during arrests decreased. While some members of the national police reportedly faced minor disciplinary measures and a few cases remained under investigation, no member of the security forces had been brought to justice for violations committed during the states of exception as at 20 January 2009. During this period, UNMIT documented 50 alleged incidents of human rights violations and ill-treatment during arrests by the national police. On 9 October 2008, the Baucau District Court sentenced a national officer to six years' imprisonment for killing a man during an election rally in Viqueque District in 2007. On 14 October, the Baucau District Commander, who failed to obey a suspension order by the UNMIT Police Commissioner, was handed a six months' suspended sentence. The decision of the Baucau District Court was subsequently overturned by the Court of Appeal. On 22 October in Maliana, Bobonaro District, national police officers physically and verbally threatened a national UNMIT staff member who was assisting two alleged victims of police ill-treatment to file a complaint; the allegations were substantiated and a written reprimand was approved. After the incident, at the request of the new District Commander of the national police, UNMIT provided human rights training to national police officers in Maliana.

27. Initiatives to strengthen the capacity of the Office of the Provedor for Human Rights and Justice continued through a joint project of UNDP and the Office of the United Nations High Commissioner for Human Rights (OHCHR). Starting in July 2008, activities included daily mentoring of the Provedor's Monitoring and Advocacy Department, workshops on workplan revision and monitoring, and two workshops for civil society partners. The Provedor, UNMIT and civil society partners conducted joint monitoring of key issues, particularly returns of internally displaced persons and alleged human rights violations by the national police. From July to September, UNMIT, in collaboration with the Provedor and the Government, provided human rights education training to 356 (111 women) elementary schoolteachers in 13 districts, focusing on the integration of human rights in the national curriculum. OHCHR trainers provided a three-day training programme to Provedor staff on human rights monitoring and reporting in October 2008. The Provedor is expected to publish a report during the first quarter of 2009 on the

44 cases investigated during the state of siege involving alleged human rights violations by the security forces (see S/2008/501, para. 29).

28. UNMIT also provided seven human rights training sessions for the national police; supported a human rights seminar for F-FDTL members; together with UNIFEM and civil society organizations, conducted human rights, gender and humanitarian law training for 43 F-FDTL officers (5 women) on 10 and 11 November; provided 10 training events for civil society; and facilitated 9 public discussions in the districts. UNMIT published two human rights reports during the reporting period, one report focusing on the security sector and access to justice, and one report on the right to food. On 10 December, an extraordinary plenary session of Parliament was held to celebrate the sixtieth anniversary of the adoption of the Universal Declaration of Human Rights. It culminated in the presentation of the first "Sergio Vieira de Mello Human Rights Awards" for Timor-Leste and a request by the President to make the awards and the special session an annual tradition.

29. Limited progress was made towards holding accountable those responsible for criminal acts and human rights violations during the crisis of 2006, as recommended by the Independent Special Commission of Inquiry (S/2008/26, para. 30). The OHCHR-funded international prosecutor recruited to work specifically on Commission cases continued his investigations. Of the 11 ongoing investigations, one trial involving 16 defendants began in October 2008. A second trial began on 12 January 2009 but was subsequently adjourned until April 2009. The four F-FDTL members convicted of manslaughter and attempted manslaughter in the shooting deaths of eight national police in 2006 continued to be held at a military facility rather than a prison. Restitution to the widows of the victims, as ordered by the court, has yet to be paid, while, at the same time, the perpetrators continue to receive their salaries. Also, 46 detainees who escaped from Becora Prison in 2006 and 2007 remained at large. UNMIT continued to address this matter with Timorese authorities to secure their reimprisonment.

30. On 15 July, the Presidents of Indonesia and Timor-Leste received the report of the Commission of Truth and Friendship. They, together with Prime Minister Gusmão, issued a joint statement accepting the conclusions and recommendations of the report, expressing remorse to those who suffered from violations of human rights in 1999, and committing themselves to the implementation of the report's recommendations. On 9 October, President Ramos-Horta officially presented the report to Parliament. Parliament has postponed discussion of the recommendations of the Commission of Truth and Friendship and the Commission for Reception, Truth and Reconciliation to an undetermined future date. Nevertheless, a working group composed of Committee A of the National Parliament, the secretariat of the post-Commission for Reception, Truth and Reconciliation, the International Centre for Transitional Justice, OHCHR and civil society representatives proceeded with discussions on a proposed follow-on institution to the Commission for Reception, Truth and Reconciliation and the Commission of Truth and Friendship. OHCHR is funding a consultant, who began on 19 January 2009, to draft legislation for Committee A setting out the legal framework of a proposed follow-on institution.

31. UNMIT investigations into cases of serious human rights violations committed in 1999 continued under the supervision and in close collaboration with the Office of the Prosecutor-General. Investigations began in five new districts in addition to

the four where investigations were already ongoing. To date, UNMIT has completed investigations into 35 out of 396 outstanding cases and submitted final investigation reports to the Office of the Prosecutor-General for his consideration. An additional 38 other cases are currently under investigation.

32. UNMIT strove to maintain the highest standards of conduct among its staff, continuing to provide training to all categories of United Nations personnel, including national officers, in the prevention of sexual exploitation and abuse and in other conduct and discipline issues. In Bobonaro District from 22 to 24 July, UNIFEM provided training on sexual and gender-based violence to 30 national police (7 women), covering legal provisions, police officers' roles and responsibilities, the necessary procedures for handling sexual and gender-based violence situations and understanding the needs of victims and survivors. UNMIT strengthened the monitoring of off-limit locations to include unannounced verification visits to the establishments. During the reporting period, one case of alleged sexual exploitation was reported; it is currently being investigated by the Office of Internal Oversight Services. One staff member was repatriated after earlier allegations of sexual exploitation were substantiated. The HIV/AIDS session included in the UNMIT induction course and mandatory HIV/AIDS basic training continued. A total of 1,478 personnel (including 305 women) received HIV/AIDS induction training, 794 personnel (including 181 women) received mandatory basic training and 36 personnel (including 18 women) received peer educator training.

B. Support for capacity-building and strengthening of the justice system

33. The Government continued to focus on several pieces of draft legislation essential for the smooth functioning of the justice system, in particular the criminal code. UNMIT, together with UNIFEM and the United Nations Population Fund (UNFPA) provided technical advice to improve provisions in the code concerning victims of sexual assault and domestic violence, and minors as victims of sexual-related offences and corruption. UNMIT, in collaboration with the United Nations Children's Fund (UNICEF), also provided substantive and technical advice in support of the juvenile justice draft law. Furthermore, UNMIT continued to support the drafting of a civil code, a witness protection law, a law on domestic violence and a weapons law. Capacity development of judiciary personnel continued through the UNDP-supported Legal Training Centre. On 29 July, the third post-graduate training course for judges, prosecutors and public defenders commenced at the Centre with 18 candidates who will undergo two and a half years of academic and practical training. A total of 37 persons have graduated from the Centre.

34. Coordination between the police and the prosecution improved under the auspices of a joint Prosecutor-General-United Nations working group. This initiative produced notable progress in the execution of notifications and warrants and expedited the processing of the increasing number of criminal files. Notwithstanding this effort, and a physical transfer from Dili to Baucau and Oecussi of all prosecution files belonging to those respective districts, the current pending criminal caseload nationwide is about 5,400 cases. Nine national prosecutors and five international prosecutors worked in co-location to process the existing caseload. National authorities have acknowledged the need to further increase funding, human resources and technical expertise in order to enhance the case-management. In the

meantime, UNDP advanced in the implementation of an electronic case management system that can provide senior national officials with prompt statistical information to allow for prioritization of cases and identification of bottlenecks.

35. At the encouragement of my Special Representative, the Government resumed consultations to initiate an independent comprehensive needs assessment of the justice sector, as previously recommended (see S/2006/628, para. 88). Furthermore, UNMIT and UNDP are supporting the Government in its request to develop a legal framework to link, in accordance with international human rights standards, the formal justice system with traditional justice mechanisms.

36. The Government's Prisons Directorate, with assistance from UNMIT and UNDP, completed a number of infrastructure improvement projects for the prison service. Seven staff from the Prisons Directorate have completed a train-the-trainer programme as the first step towards developing the Directorate's capacity. Unreasonable duration of pretrial detention, a lack of adequate legal representation, increasing numbers of juveniles in pretrial detention and lack of treatment for mental illness remain some of the major challenges facing the penitentiary system in Timor-Leste.

IV. Support for the "compact", socio-economic development and humanitarian assistance

A. Support for the "compact" process

37. On 31 July, a quarterly development partners meeting took place where participants discussed in detail the recommendations from the first six-month World Bank independent peer review of the national priorities for 2008, which constitute the international compact for Timor-Leste (see S/2008/501, para. 36). The meeting offered a forum for the Government and the donors to frankly discuss progress and obstacles in all the identified priority areas. Importantly, in the light of the overall positive feedback from a great number of participants who were represented at senior levels, the meeting also reaffirmed the mutual endorsement by the Government and the international partners of the national priorities process. In its generally favourable assessment, the World Bank found the national priorities reporting and support systems appropriate and highlighted that this framework has proven effective in achieving and documenting progress towards Government's goals, especially in the reintegration of internally displaced persons, cash payment transfers to petitioners and vulnerable groups, as well as in institutional development for youth and sports. UNMIT and United Nations agencies, funds and programmes, such as the International Labour Organisation (ILO), UNICEF, UNDP and the International Organization for Migration (IOM) actively participated in the working groups established to monitor progress in meeting the objectives set out in the national priorities. Preparations for the 2009 national priorities programme are ongoing and include a modification of the working group structure adopted by the Council of Ministers and the subsequent issuance of a detailed concept note. On this basis, several ministries have already begun to develop their goals and targets for the 2009 programme. Foundations have been laid for sectoral consultation and medium-term strategic planning, and the Government demonstrated at the highest

levels that it is committed to monitoring the fulfilment of targets agreed with the international community in a spirit of partnership.

B. Socio-economic development

38. Economic momentum was sustained in 2008 with growth projected by the International Monetary Fund (IMF) at 10 per cent, due primarily to buoyancy in public expenditures; still, capacity constraints continued to hamper budget execution. In a speech given to Parliament on 14 January 2009, the Prime Minister said that cash expenditures totalled $436.6 million, representing approximately 55 per cent of the total 2008 budget. In an effort to help the Government improve the execution of its budget and the delivery of services, UNMIT has encouraged the Government to consider further outsourcing, through the integration of employment-generating and capacity-building experts in key areas where capacities are lacking.

39. Given low capital expenditures, the Government's declaration of 2009 as the year of infrastructure, rural development and human resource capacity-development is a welcome measure. During the reporting period, some major infrastructure projects were completed. On 18 November, five bridges in two eastern districts were inaugurated; they are expected to improve rural development by opening up new markets for agricultural products. They were constructed under a programme jointly implemented by UNDP and the United Nations Office for Project Services (UNOPS), with financing from the Government and the European Union. Since July, the Ministry of Infrastructure, the Ministry of Economy and Development and the Secretariat of State for Vocational Training and Employment, with United Nations assistance, have established initiatives to generate short-term labour-intensive employment. Road maintenance and rehabilitation provided temporary employment opportunities to around 4,000 persons.

40. At the same time, Timor-Leste continued to struggle with factors affecting poverty alleviation and achievement of the Millennium Development Goals. The Timor-Leste survey of living standards, conducted by the Directorate of National Statistics with support from the World Bank and completed in November, showed that poverty had increased to approximately 50 per cent of the population at the end of 2007 from 36 per cent in 2001. In per capita terms, the real, non-oil gross domestic product declined by 12 per cent during those years. This is due to a significant fall in consumption explained by the relative stagnation of the non-oil economy. Other factors, such as the high population growth rate, also contributed to enlarging the number of Timorese below the poverty line in the country.

41. The immunization coverage rate continued to improve; measles coverage reached 75 per cent by mid-2008, with the critical 80 per cent benchmark expected to be reached soon. The Government, with support from UNICEF and the World Health Organization (WHO), launched a national tetanus toxoid vaccination campaign in 2008 in the hope of eliminating maternal and neonatal tetanus by 2010. Vaccination rounds were held in October and November. Preliminary reports show that more than 80 per cent of targeted women (12-45 years of age) received one dose of tetanus toxoid vaccine during the first round. WHO actively supported new training courses for nurses and midwives, which started in September 2008, and the Government opened a new faculty in midwifery at the national university, with the support of UNFPA. UNESCO, together with the World Bank and UNICEF,

continued to provide technical support to strengthen the capacity of the Government's education management information system.

42. The United Nations Development Assistance Framework for 2009-2013 was signed by the Prime Minister and my Deputy Special Representative in his capacity as Resident Coordinator on 8 August. It was also co-signed by my Special Representative reflecting the integrated character of the Mission. The overarching goal of the Framework is the consolidation of peace and stability, with three interrelated areas of cooperation having emerged as particularly critical for United Nations country team support: (a) democratization and social cohesion; (b) poverty reduction and sustainable livelihoods; and (c) basic social services. The total funding for the five-year period of the United Nations Development Assistance Framework is expected to be approximately $314 million. In addition, the possibility of funding of projects by the Peacebuilding Fund is currently being explored.

C. Humanitarian assistance

43. The World Food Programme (WFP) worked in close liaison with the Government on the issue of rising global food prices and monitored food prices and market availability in the country, as a proxy indicator of food availability at the household level. WFP also continued to provide food to vulnerable groups such as pregnant and lactating women, children under five years of age, school children and food-insecure communities.

44. Restrictions by major regional exporters created challenges in ensuring adequate food supplies that prompted the Government to prioritize increasing national agricultural production. The 2008 budget thus included increased appropriations for purchases of tractors and other agricultural equipment, and the Government promoted planting of a second crop of rice and maize to boost production. The Food and Agriculture Organization of the United Nations (FAO) mobilized internal and donor resources to assist vulnerable farmers and boost local food production. During July and August, 4,000 farming households received seeds and fertilizer to cultivate maize and rice during the second crop season and approximately 26,000 households received seeds, fertilizers and tools for the establishment of home gardens. In November, 22,000 rural households received non-hybrid maize seeds of an adapted high-yielding variety to boost production during the main planting season. By the end of 2008, 2,000 families received metallic silos to improve maize grain storage, reducing substantially the normally high post-harvest losses. The estimated combined impact of these interventions is an increase by 20 per cent of the food available to the most vulnerable groups among the rural population.

45. As at 20 January, a total of 16,500 internally displaced families registered for assistance under the Government's National Recovery Strategy (see S/2008/501, para. 45). Fifty-four camps in Dili and Baucau (out of 63) have closed and the number of families benefiting from the recovery package reached 11,335. While some isolated incidents occurred during the return process, mainly property issues between returnees and secondary occupants, there were no major outbreaks of violence or serious resistance that affected the overall return process. My Representative on the Human Rights for internally displaced persons, Walter Kälin,

conducted a working visit to Timor-Leste from 6 to 13 December. His recommendations centred on the need to maintain the focus on the sustainability of returns beyond the closure of the camps and to support durable solutions.

46. The Government's five-pillar National Recovery Strategy (housing, community trust-building, security and stability, social protection and local socio-economic development) was designed to ensure holistic, durable solutions to the situation of internally displaced persons. Most of the remarkable progress in returns is due to concerted efforts by the Government and humanitarian partners in the areas of housing and trust-building; however, further progress is needed in addressing broader issues such as land and property rights. The long-term success of the return process will also depend on further progress in the other pillars, such as the creation of livelihood opportunities, including special attention to economic activities that contribute to the reintegration of internally displaced persons; enhanced social protection, with a particular focus on their needs; and the creation of a stable security environment conducive to their return. Given the sustained progress in relocating internally displaced families and the end of the emergency situation, the Office for the Coordination of Humanitarian Affairs phased out its activities and presence at the end of 2008. However, one national staff member of the Office for the Coordination of Humanitarian Affairs will remain in-country in support of the Humanitarian Coordinator, and will work with a small humanitarian team retained in UNMIT to assist in the coordination of residual humanitarian activities.

V. Preparation of a medium-term strategy

47. In my previous report (S/2008/501, para. 48), I envisaged that the medium-term strategy and benchmarks, as requested by the Security Council in its resolution 1802 (2008), would cover the four mandated priority areas of UNMIT: review and reform of the security sector; strengthening of the rule of law; economic and social development; and promotion of a culture of democratic governance and dialogue. Since then, extensive consultations have been held on the matter with the Timorese interlocutors (the President, the Government, political parties and civil society) and the diplomatic corps. A medium-term strategy with illustrative benchmarks, informed by the national priorities process and other planning exercises such as the United Nations Development Assistance Framework and planning for the resumption of responsibility by the national police, has been developed for these four areas. The priority benchmarks include: (a) adequate capacity, systems processes and resources within security sector institutions for each to fulfil their respective roles, including human rights obligations, in the context of clear and transparent mechanisms ensuring civil oversight; (b) completion of all outstanding investigations and establishment of effective mechanisms to enhance the functioning and integrity of the judiciary; (c) adherence to the rule of law through respect for Constitutional rights and guarantees for all citizens and to strict ethical standards; and (d) improved quality of life and increased employment opportunities, especially focusing on rural areas and youth and the sustainable return and reintegration of internally displaced persons. The Government has accepted the strategy and the benchmarks (see the annex to the present report).

48. The benchmarks can help measure progress in addressing the underlying challenges of Timor-Leste that gave rise to the UNMIT mandate. Achievement of the targets could thus be reasonably expected to provide the foundation for a stable,

democratic and prosperous Timor-Leste. As progress is registered in meeting these benchmarks and associated milestones, I believe that the Council will be in a better position to review the UNMIT mandate and structure, and assess, at an appropriate juncture, the level and form of United Nations support required in the post-UNMIT phase.

VI. Financial aspects

49. The General Assembly, by its resolution 62/258, appropriated the amount of $172.8 million for the maintenance of UNMIT for the period from 1 July 2008 to 30 June 2009. As at 30 September 2008, the total outstanding assessed contributions to the Special Account for UNMIT amounted to $76.7 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $4,014.1 million. In accordance with the quarterly payment schedule, reimbursement of formed police units costs and payments for equipment owned by formed police units have been made for the period up to 30 November 2008.

VII. Observations

50. It is encouraging to see that more than two years after the 2006 crisis, the leaders and people of Timor-Leste have made remarkable progress in overcoming the most visible reminders of that year. The pace of closures of internally displaced persons camps accelerated after the events of 11 February, the petitioners are reintegrating into civilian life, and the issues relating to Alfredo Reinado have been overcome, albeit at the cost of Reinado's life and nearly fatal injury to President Ramos-Horta. The rapid normalization of security arrangements after the disbandment of the Joint Command, coupled with the continuing stable security environment, characterized by low levels of serious crime, is a credit to Timor-Leste's determination to continue striving to create the conditions necessary for long-term peace, stability and development. UNMIT, with the support of the international security forces, has also played a critical role in assisting Timor-Leste to maintain a stable security situation. However, this stability remains fragile.

51. The public has responded to those efforts with growing confidence in State institutions. However, the underlying challenges that contributed to the 2006 crisis remain. These include poverty and unemployment, urban centres struggling with migration and lack of an effective land and property regime; as well as a weak judicial system and still developing security institutions. The Government has made efforts to address these issues, but until these efforts bear fruit there is an ever-present danger that Timor-Leste's progress towards self-sufficiency could be derailed. Fiscal packages specially targeted towards investment in the infrastructure and improvement in the delivery of public services will continue to be needed to enable substantial progress in alleviating poverty.

52. As highlighted during my 2007 visit to Timor-Leste, addressing these issues will require continued dialogue to ensure unity of effort, if not broad consensus, on issues of national concern. President Ramos-Horta's efforts in this regard are to be commended, as is the receptivity, so far, of the major political groupings in Timor-Leste. My Special Representative will continue to provide good offices to facilitate such efforts, with a focus on the importance of constructive political

dialogue; respect for the institutions of State, including the important role of Parliament in a multiparty democracy; and appreciation for the contribution that can be made by an effective opposition channelling its concerns through democratic means. It is important that all political actors participate in ongoing dialogue and contribute to meeting the country's challenges. One of the tests for Timor-Leste in 2009 will be the conduct of local elections.

53. Long-term security and stability will depend on the capacity of Timorese security institutions to function in an accountable, impartial, responsible and effective manner, with due respect for the rule of law and human rights, and broad-based public confidence and support. Following the lifting of the state of exception, the State was able to give renewed attention to the process of security sector reform. There were several initiatives indicative of progress in this area. However, defining a meaningful role for F-FDTL in a peacetime setting, clarifying its relationship with the national police and establishing internal accountability mechanisms and civil oversight by drawing on the findings of the security sector review will be among the primary challenges of the Government. In addition, sustainable logistics and maintenance capacities, necessary policy frameworks and institutional development plans, including training, for both the national police and F-FDTL, will need to be in place to ensure the effective discharge of their respective responsibilities. Further efforts are needed to ensure clear articulation of strategies and plans within and across State institutions. A clear vision of future steps would also facilitate the coordination of support from the international community, including bilateral partners who are essential to the long-term success of security-sector reform. In this regard, it will be important that UNMIT support the Government in identifying mechanisms for ensuring that results from the security sector review are incorporated in security sector development efforts.

54. Ongoing discussions with State actors at all levels reveal a general consensus that the gradual resumption of policing responsibilities should not be bound by an artificial calendar that may not accurately reflect the readiness of the national police in any given district or unit. Instead, emphasis must be placed on the achievement of criteria in order to guarantee the integrity of the resumption process and ensure that any future crisis or pressure does not result in the police service facing further systemic failures. Based on this view, the Government and UNMIT are now discussing the possibility of starting the process of the resumption of policing responsibilities on 27 March 2009. In the meantime, a continuing robust UNMIT police presence across the country, including formed police units, is necessary, both to support the resumption of responsibilities and to continue to help guarantee public security while that process is under way. To that end, I urge the Government to continue working with UNMIT to further develop the framework for resumption of policing responsibility and to ensure that steps are taken to meet sustainable logistical requirements for the national police. The resumption will be only one step in the long-term development process of the national police, and will depend on the continuing commitment of the Government and the international community, including bilateral partners.

55. The judiciary continues to be particularly weak, which has a detrimental effect on the entire rule of law system, including policing. I fully share the desire on the part of the authorities, including the President, to increase opportunities for Timorese to take on judicial line functions. A firm Government commitment to accomplish an independent comprehensive needs assessment of the judicial sector

would allow a coordinated and considered approach to justice sector reform that would more clearly define the support required from the international community and also promote early and effective Timorization of the justice system. I welcome the commitment of the Governments of Indonesia and Timor-Leste to implement the recommendations of the Commission of Truth and Friendship, and encourage the two Governments to take concrete steps to ensure full accountability, to end impunity and to provide reparations to victims, in accordance with international human rights standards and principles.

56. The fundamental tasks ahead are not necessarily about solving particular issues, but about strengthening the institutions of State and improving policy and decision-making processes marked by transparency, accountability and consultation, so that Timor-Leste can continue along the path towards self-sufficiency. Timor-Leste will continue to require substantial support from the international community, in particular the United Nations, and Timorese leaders have emphasized the need for a continued robust Mission presence. In order to ensure the sustainability of the international community's support to Timor-Leste's efforts on its path towards security and prosperity, an extension of the UNMIT mandate for a period of 12 months at the current composition and strength is essential. Given the continued responsibility for law enforcement and the added responsibility of facilitating the resumption of responsibilities by the national police, a continued robust UNMIT police presence will be of the utmost importance. The police strength will be subject to continued review and reductions made as and if appropriate. I also recommend that the Mission provide the logistical, security and human resources (mainly United Nations Volunteers) necessary to respond to the Government's request for assistance for the 2009 local elections.

57. In conclusion, I would like to thank my Special Representative, Atul Khare, for his leadership and congratulate all the men and women of UNMIT and the United Nations country team for their dedication and determined efforts, in close partnership with the Timorese people, to advance the cause of peace and stability in Timor-Leste.

Annex

Medium-term strategy

1. Ensuring security and stability, now and in the future

Objectives

A stable security situation, and security sector institutions that respect and protect human rights and are sufficiently effective and accountable to guarantee security and stability in the short term, while at the same time contributing to the ongoing strengthening of security and stability over the long term.

Benchmarks

- A comprehensive review of the future role and needs of the security sector has been conducted and coordinated reform plans have been developed
- Security sector institutions (including F-FDTL, national police, Segurança Civil, customs, intelligence services and immigration) have adequate capacity (strategic, managerial and technical skills, as well as institutional values) to fulfil their roles and responsibilities, including human rights obligations
- Security sector institutions have adequate systems, processes and resources (financial and material) in place to ensure the efficient management of the institutions and enable them to fulfil their roles
- The respective roles of the various institutions of the security sector are clearly defined
- Clear and transparent mechanisms are established to ensure civil oversight

2. Rule of law, justice and human rights

Objectives

The institutions and capacities of the justice sector are adequately developed and strengthened, resulting in an effective, accessible and credible judicial and penal system. The rule of law and the independence of the judiciary are respected, impunity is not tolerated and is appropriately addressed.

Accountability and justice are achieved for the serious criminal offences of 1999 and April through May 2006, including as recommended by the Independent Special Commission of Inquiry.

Benchmarks

- All outstanding investigations concerning crimes against humanity and other serious crimes committed between 1 January and 25 October 1999 are completed
- A legal framework is in place which takes into account traditional justice mechanisms that adhere to basic principles of administration of justice and human rights standards with particular attention to gender justice and juvenile justice issues
- Core justice personnel are technically enabled to continue process of institution-building and perform line functions

- The Provedoria for Human Rights and Justice is an independent, transparent and effective national human rights institution, playing the lead role in protecting and promoting human rights
- Effective accountability mechanisms are established to enhance integrity of the judiciary, including Superior Councils

3. A culture of democratic governance and dialogue

Objectives

Widespread understanding, adoption of and adherence to the values and principles of sustainable democratic governance, throughout the institutions of State and society, which contribute to further strengthening the institutional culture of democratic governance.

Benchmarks

- The constitutional rights and guarantees are promoted for all citizens; the checks and balances among the four pillars of sovereignty (the executive, the presidency, the parliament and the judiciary) are effective and respected
- A professional and independent media is operating, and dialogue and communication between State institutions, political parties, civil society and the media are enhanced to provide accurate balanced information
- All State institutions adhere to a code of conduct and maintain strict ethical standards
- Effective systems and processes are in place to enable a professional civil service to deliver services
- An anti-corruption regime is established and functioning; and levels of transparency and accountability are increased

4. Socio-economic development

Objectives

A healthy, inclusive and sustainable economy which fosters social solidarity and provides the necessary opportunities for Timorese to support and develop themselves for more productive lives.

Benchmarks

- The quality of life is improved through reduced malnutrition, morbidity, water and sanitation, social welfare and social protection
- Livelihoods are improved and employment opportunities increased, especially focusing on rural areas and vulnerable groups, including youth
- Internally displaced persons have returned, reintegrated and resettled in a sustainable manner; and effective disaster management structures are developed to prepare for mitigation of future crises

United Nations A/63/705–S/2009/73

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Security Council

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General Assembly
Sixty-third session
Agenda items 15, 16, 29 and 65 (c)

The situation in the Middle East

Question of Palestine

United Nations Relief and Works Agency for Palestine Refugees in the Near East

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: assistance to the Palestinian people

Security Council
Sixty-fourth year

Letter dated 4 February 2009 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

With reference to the letter dated 22 January 2009, I have the pleasure to attach herewith the letter received from Mme. Suzanne Mubarak, the First Lady of Egypt and the President of the Egyptian Red Crescent Society (ERCS), addressed to you, regarding Egypt's efforts to alleviate the grave humanitarian situation in the Gaza Strip resulting from the Israeli aggression (see annex).

I would appreciate if the present letter and its annex could be circulated as a document of the sixty-third session of the General Assembly, under agenda items 15, 16, 29 and 65 (c), of the tenth emergency special session of the General Assembly, under agenda item 5, Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, and of the Security Council, under the item entitled "The situation in the Middle East, including the question of Palestine".

(*Signed*) Maged A. **Abdelaziz**
Ambassador
Permanent Representative

09-22983 (E) 170209

Annex to the letter dated 4 February 2009 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

I would like, at the outset, to express my appreciation for the frank discussions and valuable exchange of views we had during our meeting on 14 January 2009 regarding the grave and deteriorating humanitarian situation in the Occupied Gaza Strip resulting from the continuing Israeli aggression.

As we discussed, I, in my capacity as the president of the Egyptian Red Crescent Society (ERCS), called for an urgent meeting on 10 January 2009 with relevant United Nations agencies, in order to address the various aspects of the humanitarian crisis facing the Palestinian people in Gaza, and to establish enhanced coordination to facilitate immediate, effective and sustained delivery of food and medical assistance.

At the meeting it was agreed to establish the Emergency Committee for the Coordination of Assistance (ECCA) to Gaza, aiming at harmonizing the activities of all actors in the field of humanitarian assistance and efficiently responding to the real needs of the Palestinian people. I am enclosing herewith for your attention the terms of reference of the aforementioned committee, which is scheduled to begin to operate promptly (see attachment).

Furthermore, while many have stepped forward to provide aid to the Palestinians in this time of distress, you might agree that such efforts as well as initiatives need to be better coordinated. The United Nations stands at the heart of such endeavour. As I underscored in our meeting on 14 January, I firmly believe that the United Nations has an essential role to play in leading the global efforts to mobilize the urgently needed additional resources for the provision of humanitarian assistance for the Palestinians.

It is, therefore, my hope that you will undertake this fundamental task by calling for a high-level meeting for the donor community to convene as soon as possible in order to respond to this dire humanitarian situation, through providing the United Nations family with the appropriate means to alleviate the human suffering in Gaza.

I am confident that you will spare no effort in realizing this proposal.

Please accept my sincere thanks for your leadership and the extraordinary work of all United Nations humanitarian personnel, for their dedication and tireless efforts. I would like to pay tribute to all those who have lost their lives in performing their responsibilities towards the Palestinian civilian population during this crisis.

(*Signed*) Suzanne **Mubarak**

Attachment

Terms of reference of the Emergency Committee for the Coordination of Assistance to Gaza

At the initiative of Suzanne Mubarak, the First Lady of the Arab Republic of Egypt, in her capacity as President of the Egyptian Red Crescent Society, a meeting of the Egyptian Red Crescent Society with the United Nations specialized agencies, funds and programmes was held on 10 January 2009, in Cairo.

The meeting endorsed the proposal of the First Lady to establish the Emergency Committee for the Coordination of Assistance (ECCA) to the Palestinian population in occupied Gaza Strip.

Objectives:

The objectives of the Emergency Committee for the Coordination of Assistance include:

1. Coordinating all multilateral and bilateral humanitarian assistance directed to Gaza through Egypt, ensuring that the assistance reflects the priorities of the Palestinian people, as outlined by the various United Nations agencies concerned in collaboration with the Palestinian Red Crescent.

2. Coordinating with the concerned parties the effective, unimpeded and sustained delivery of such assistance.

3. Collaborating in the area of information exchange regarding the humanitarian situation in the field as well as the efforts by various actors to avoid duplication and redundancies.

Location and composition:

The Emergency Committee for the Coordination of Assistance will be located in Cairo (the headquarters of the Egyptian Red Crescent Society), with a field presence at Al-Arish.

The Emergency Committee for the Coordination of Assistance will be composed of representatives of:

1. The Egyptian Red Crescent Society (Chair)

2. United Nations agencies, including:

   - United Nations Resident Coordinator (Egypt)
   - World Food Programme (WFP)
   - World Health Organization (WHO)
   - United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)
   - United Nations Office for the Coordination of Humanitarian Affairs (OCHA)
   - United Nations Children's Fund (UNICEF)

- United Nations Population Fund (UNFPA)

3. Relevant Egyptian authorities

4. The Palestinian Red Crescent

The field presence of the Emergency Committee for the Coordination of Assistance will be composed of representatives of:

- The Egyptian Red Crescent Society
- United Nations Resident Coordinator (Egypt)
- WFP
- WHO
- Governorate of Northern Sinai
- Relevant Egyptian authorities
- Palestinian Red Crescent

The Emergency Committee for the Coordination of Assistance will hold periodic meetings to exchange views on the developments pertaining to the delivery of assistance.

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Agenda item 15
The situation in the Middle East

Security Council
Sixty-fourth year

Identical letters dated 5 February 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instructions from my Government, I would like to draw your attention to the following grave incident.

On Wednesday night, 4 February 2009, two Israeli gunboats intercepted the Lebanese Brotherhood Vessel while it was in international waters trying to reach Gaza; they opened fire on the ship and rerouted it to Ashdod.

The boat was carrying humanitarian aid and medicine. Among its passengers was the former Greek Catholic Archbishop of Jerusalem, Monsignor Hilarion Capucci.

My Government condemns the Israeli actions and considers them a blatant and flagrant breach of international law and international humanitarian law. My Government calls on the international community to press Israel to immediately release the ship, ensure the safety of the passengers and allow the vessel and crew to reach their destination and deliver the humanitarian, medical and food assistance to the civilians in Gaza.

I kindly request that the present letter be circulated as a document of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Caroline **Ziade**
Chargé d'affaires a.i.

09-22970 (E) 050209

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Security Council

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The situation in the Middle East

Security Council
Sixty-fourth year

Identical letters dated 5 February 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On the instructions of my Government, I transmit to you herewith a statistical summary of Israeli violations from 15 to 31 January 2009 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-third session of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Caroline **Ziade**
Chargé d'affaires a.i.

09-23128 (E) 090209 100209

Annex to the identical letters dated 5 February 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Subject: Israeli violations, acts of aggression and other activities from 15 to 31 January 2009

Air violations

On 15 January 2009, at 0645 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over `Alma al-Sha`b. It circled over regions of the South, Beirut and Iqlim al-Kharrub, and departed on 16 January 2009 at 0510 hours over `Alma al-Sha`b.

Between 0918 hours and 1125 hours, four enemy Israeli warplanes violated Lebanese airspace, entering over Kafr Kila. They circled over all Lebanese regions, and departed over Rumaysh.

Between 2222 hours and 2330 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over the Shab`a farmlands. They circled over all Lebanese regions, and departed over Kafr Kila.

At 2337 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over `Aytarun. They circled over all Lebanese regions, and departed on 16 January 2009 at 0015 hours over `Alma al-Sha`b.

On 16 January 2009, between 0725 hours and 1830 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh and flying north. It circled over the South, and departed over Rumaysh.

Between 0900 hours and 1045 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over Kafr Kila and flying north. They circled over all Lebanese regions, and departed over `Aytarun.

At 1900 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over `Alma al-Sha`b and flying north. It circled over regions of the South, and departed on 17 January 2009 at 1010 hours over Yarun.

Between 2100 hours and 2253 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over Yarun and flying north. They circled over all Lebanese regions, and departed over Rumaysh.

On 17 January 2009, between 1025 hours and 1132 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over Kafr Kila. They circled over all Lebanese regions, and departed over `Alma al-Sha`b.

At 2200 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over Rumaysh and flying north. They circled over all Lebanese regions, and departed on 18 January 2009 at 0005 hours over al-Naqurah.

On 18 January 2009, between 1005 hours and 1205 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over `Aytarun. They circled over all Lebanese regions, and departed over Rumaysh.

Between 2103 hours and 2310 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over Rumaysh. They circled over all Lebanese regions, and departed over 'Alma al-Sha'b.

On 19 January 2009, between 1130 hours and 1330 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over 'Aytarun and flying north as far as Tripoli. They circled over all Lebanese regions, and departed over 'Alma al-Sha'b.

Between 1240 hours and 1400 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over Kafr Kila. They circled over all Lebanese regions, and departed over the sea off al-Naqurah.

At 2305 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over 'Aytarun. They circled over all Lebanese regions, and departed on 20 January 2009 at 0040 hours over 'Alma al-Sha'b.

On 20 January 2009, between 1005 hours and 1100 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over Kafr Kila and flying north as far as Baalbek-Hirmil. They circled over all Lebanese regions, and departed over Kafr Kila.

On 21 January 2009, between 0930 hours and 1010 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over the occupied Shab'a farmlands. They circled over all Lebanese regions, and departed over 'Alma al-Sha'b.

Between 0935 hours and 1100 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over the occupied Shab'a farmlands. They circled over all Lebanese regions, and departed over 'Alma al-Sha'b.

On 22 January 2009, between 1158 hours and 1220 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over Rumaysh and flying north as far as Shikka. They circled over Shikka, Jubayl, Rayak and al-Hirmil, and departed over the sea off Tripoli.

Between 1440 hours and 2200 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over 'Alma al-Sha'b and flying north. It circled over all regions of the South, and departed over Rumaysh.

On 23 January 2009, between 0700 hours and 1400 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah and flying north. It circled over all regions of the South, and departed over 'Alma al-Sh'ab.

Between 1515 hours and 1645 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over Kafr Kila and flying north. They circled over all Lebanese regions, and departed over 'Alma al-Sha'b.

On 25 January 2009, between 1055 hours and 2025 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah and flying north as far as Tyre. It circled over regions of the South, and departed over al-Naqurah.

On 26 January 2009, between 0600 hours and 1225 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah and

flying north as far as Beirut. It circled over Beirut, the South and the Bekaa, and departed over Rumaysh.

Between 1540 hours and 1745 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over Rumaysh and flying as far as Tripoli. They circled over all Lebanese regions, and departed over 'Alma al-Sha'b.

Between 1908 hours and 2100 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over Kafr Kila and flying as far as Shikka. They circled over all Lebanese regions and fired three flare shells over the Na'imah hills. They departed over Rumaysh.

At 2230 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over Kafr Kila and flying north as far as Tripoli. They circled over all Lebanese regions, and departed on 27 January 2009 at 0045 hours over 'Alma al-Sha'b.

On 28 January 2009, between 1200 hours and 2050 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah and flying north. It circled over the southern regions, and departed over Rumaysh.

Sea violations

On 15 January 2009, at 2000 hours, an enemy Israeli launch in the open sea inside occupied Palestinian territorial waters shone a searchlight in the direction of Lebanese territorial waters for 15 seconds.

On 20 January 2009, at 1745 hours, an enemy Israeli launch shone a searchlight in the direction of a Lebanese fishing boat located 700 metres north of the first buoy.

On 22 January 2009, at 2117 hours, the Israeli enemy shone a searchlight for 20 seconds from its position south of al-Naqurah in the direction of a Lebanese fishing boat located 50 metres north of the first buoy.

On 24 January 2009, at 2330 hours, the Israeli enemy shone a searchlight for five seconds from its position east of al-Naqurah in the direction of Lebanese territorial waters north of the first and second buoys.

Ground violations

On 27 January 2009, between 1650 hours and 1730 hours, enemy Israeli forces fired several rounds of medium and light machine-gun fire from their position in al-Sammaqah inside the occupied Shab'a farmlands into the area around the position.

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The situation in the Middle East

Security Council
Sixty-fourth year

Identical letters dated 5 February 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On the instructions of my Government, I transmit to you herewith a statistical table of the violations committed by Israel by air, sea and land during the month of January 2009 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-third session of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Caroline **Ziade**
Chargé d'affaires a.i.

09-23145 (E) 090209 100209

Annex to the identical letters dated 5 February 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Statistical table showing Israeli violations during January 2009

Air violations					*Land violations*					
Military jet	*Reconnaissance*	*Helicopter*	*Total*	*Sea violations*	*Military acts of aggression*	*Field violations*	*Breaches*	*Total*	*Overall total*	*Previous month's violations*
				Crossing of territorial waters, and firing of automatic-weapons rounds, flares and flare shells over territorial waters	Air raids, artillery shelling, shelling of military positions and important posts, attacks on and killing of civilians	Gunfire, launching of flare shells, dropping of artillery shells, infiltration and crossing of international borders	Threats and display of weapons, bulldozing of soil, placing of barbed wire and setting up of installations inside Lebanese territory			
35	12	—	47	7	2	4	1	7	61	39

United Nations S/2009/77

Security Council

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29 January 2009

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Report of the Secretary-General concerning the credentials of the representative of the United States of America on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received credentials signed on 23 January 2009 by the Secretary of State of the United States of America, stating that Ms. Susan Rice has been appointed representative of the United States on the Security Council.

In the opinion of the Secretary-General, these credentials are in order.

09-23232 (E) 090209

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Security Council

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9 February 2009

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Letter dated 6 February 2009 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to inform you that the Government of the Republic of the Sudan wishes to have retained on the list of matters of which the Security Council is seized item 63 in paragraph 3 of the summary statement by the Security Council on matters of which the Security Council is seized and on the stage reached in their consideration (S/2009/10 of 30 January 2009), namely the item entitled "Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General (S/3963)".

I should be grateful if you would have the text of the present letter circulated as a document of the Security Council.

(*Signed*) Ambassador Abdalmahmood Abdalhaleem **Mohamad**
Permanent Representative

09-23275 (E) 090209

United Nations S/2009/79

Security Council

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9 February 2009

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Letter dated 3 February 2009 from the Chairman of the Security Council Committee established pursuant to resolution 1518 (2003) addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1518 (2003) (see annex), containing an account of the Committee's activities from 1 January to 31 December 2008. The report, which was adopted by the Committee on 3 February 2009, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(*Signed*) Michel **Kafando**
Chairman
Security Council Committee established
pursuant to resolution 1518 (2003)

09-23281 (E) 120209

Annex

Annual report of the Security Council Committee established pursuant to resolution 1518 (2003)

1. The present report of the Security Council Committee established pursuant to resolution 1518 (2003) covers the period from 1 January to 31 December 2008.

2. The previous report of the Committee, submitted to the Security Council on 14 February 2008 (S/2008/109), covered the period from 1 January to 31 December 2007.

3. For 2008, the Bureau of the Committee consisted of Michel Kafando (Burkina Faso) as Chairman and the delegation of Belgium as Vice-Chairman (see S/2008/2).

4. The Committee was established by Security Council resolution 1518 (2003) of 24 November 2003 to continue to identify, in accordance with paragraphs 19 and 23 of resolution 1483 (2003), individuals and entities whose funds, other financial assets and economic resources should be frozen and transferred to the Development Fund for Iraq. According to paragraph 23 of resolution 1483 (2003), the freeze and transfer apply to funds, other financial assets and economic resources of individuals and entities associated with the former Iraqi regime, i.e. funds, other financial assets and economic resources removed from Iraq or acquired by Saddam Hussein or other senior officials of the former Iraqi regime and their immediate family members, including entities owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction; as well as to funds, other financial assets and economic resources of the previous Government of Iraq or its State bodies, corporations, or agencies, located outside Iraq.

5. Although the Committee did not hold any meetings in 2008, it continued to consider relevant issues brought to its attention. In particular, the Committee considered communications from the Focal Point for De-listing established pursuant to resolution 1730 (2006) and relevant States regarding requests for de-listing submitted by an individual and an entity included on the Committee's assets-freeze and transfer lists. The Committee's considerations were concluded with the individual and the entity remaining on the lists.

6. A number of issues brought to the Committee's attention in 2007 remained before it in 2008. By the end of the reporting period, the Committee had not arrived at a decision regarding those issues and they continue to be under its consideration.

7. The assets-freeze and transfer list of individuals and the assets-freeze and transfer list of entities are available at the Committee's website, http://www.un.org/sc/committees/1518/index.shtml.

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Security Council

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Letter dated 4 February 2009 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council

I have the honour to inform you that on 14 January 2009, 24 States and 5 regional and international organizations met in New York and formed the Contact Group on Piracy off the Coast of Somalia. The group was formed in response to the Security Council's call for States and regional organizations fighting piracy off the coast of Somalia to establish an international cooperation mechanism to act as a common point of contact on all aspects of combating piracy and armed robbery at sea.

The first meeting of this group was extremely successful. During the meeting, it was decided that the group would keep the Security Council informed regularly of its activities and decisions. The joint communiqué issued by the group following the meeting is annexed to the present letter.

I would be grateful if you could have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Susan E. **Rice**

09-23326 (E) 120209

Annex to the letter dated 4 February 2009 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council

Contact Group on Piracy off the Coast of Somalia

Media note

The Contact Group on Piracy off the Coast of Somalia met at United Nations Headquarters in New York on 14 January 2009, and agreed on the following statement.

Pursuant to United Nations Security Council resolution 1851 (2008), the Contact Group on Piracy off the Coast of Somalia was established on 14 January 2009 to facilitate discussion and coordination of actions among States and organizations to suppress piracy off the coast of Somalia. The Contact Group will report on its progress periodically to the Security Council. Participating in the meeting were representatives from Australia, China, Denmark, Djibouti, Egypt, France, Germany, Greece, India, Italy, Japan, Kenya, the Netherlands, Oman, the Republic of Korea, the Russian Federation, Saudi Arabia, the Somalia Transitional Federal Government, Spain, Turkey, the United Arab Emirates, the United Kingdom of Great Britain and Northern ..eland, the United States of America and Yemen, as well as the African Union, the European Union, the North Atlantic Treaty Organization (NATO), the United Nations Secretariat and the International Maritime Organization.

The Contact Group notes with deep concern that piracy off the coast of Somalia grew significantly in 2008, and that attacks on shipping vessels can be expected to increase without enhanced international efforts. In 2008, over 100 attacks, including over 40 successful seizures, resulted in hundreds of persons being taken hostage. The pirates have been demanding million-dollar ransoms for the release of hostages, ships and cargoes. Piracy disrupts critical humanitarian aid deliveries to Somalia, increases shipping insurance premiums along one of the world's most travelled routes to near-prohibitive levels, damages littoral economies by forcing the diversion of vessels around the Cape of Good Hope and raises the prospect of an environmental disaster as ships fall prey to hostile intent. Piracy is a symptom of a wider lack of security and rule of law in Somalia and continues to constitute a threat to regional stability. As important, piracy is symptomatic of the overall situation in Somalia, including the prevalence of illegal fishing and toxic waste dumping off the coast of Somalia, which adversely affects the Somali economy and marine environment. As such, piracy issues must be kept in mind as one element of a larger challenge, and international support for initiatives such as the International Contact Group on Somalia must be encouraged, as well as support for the Contact Group on Piracy off the Coast of Somalia. The Contact Group considers its activities as part of wider international efforts to secure peace and stability in Somalia.

As an international cooperation mechanism created pursuant to Security Council resolution 1851 (2008) to act as a point of contact between and among States and regional and international organizations on aspects of combating piracy and armed robbery at sea off Somalia's coast, the Contact Group will inform the

Security Council on a regular basis of the progress of its activities, including through providing relevant information to the Secretary-General for possible incorporation into his periodic reports to the Council.

The Contact Group emphasizes the primary role of Somalia itself in rooting out piracy and armed robbery at sea and the importance of assisting Somalia in strengthening its own operational capacity to fight piracy and bring to justice those involved in piracy.

The Contact Group on Piracy off the Coast of Somalia applauds the efforts that countries, industry and regional and international organizations have made to address the piracy problem pursuant to Security Council resolutions. Of particular note, the Contact Group applauds the counter-piracy operations that individual nations, the Combined Maritime Forces, NATO and the European Union have undertaken during the last six months.

Pursuant to Security Council resolution 1851 (2008), States and regional organizations fighting piracy and armed robbery at sea off the coast of Somalia will consider creating a centre in the region to coordinate information relevant to piracy and armed robbery at sea off the coast of Somalia (the Counter-Piracy Coordination Centre) as soon as possible in 2009. Pending the establishment of such a centre, the Contact Group will look to put interim arrangements in place. The Contact Group asks participating States and international and regional organizations to support both the interim and follow-on facilities.

The Contact Group on Piracy off the Coast of Somalia agrees that better operational information is needed in order to address the problem of piracy off the coast of Somalia, and calls on members to contribute additional operational information and surveillance assets to the region.

The Contact Group on Piracy off the Coast of Somalia recognizes the importance of apprehending and prosecuting suspected pirates. The Contact Group calls on States parties to implement their obligations under relevant treaties and applicable international law, including in particular the United Nations Convention on the Law of the Sea, with respect to suppressing piracy, establishing jurisdiction and accepting delivery of suspected pirates, and to discuss, as appropriate, the applicability of other international instruments, including the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, and the United Nations Convention against Transnational Organized Crime.

The Contact Group will examine practical options for strengthening the ability of countries willing to detain and prosecute suspected pirates. It will also examine options for developing other mechanisms to address piracy, including international judicial mechanisms. The Group welcomes the efforts of States, the United Nations Office on Drugs and Crime and the United Nations Development Programme to build judicial capacity and commends the Government of Kenya in particular for supporting the prosecution of suspected pirates. The Contact Group on Piracy off the Coast of Somalia notes the work of the maritime shipping industry and the International Maritime Organization (IMO) to establish measures to prevent and suppress acts of piracy and armed robbery against commercial vessels transiting the region. International maritime industry groups have made efforts to address the piracy threat. Of note is the adoption by the world's leading shipping, cargo and insurance organizations of a set of common best-management practices which were

based on recommendations by the European Union Maritime Security Centre-Horn of Africa. The Contact Group will continue to work with IMO, shipping-industry representatives and shipping companies to increase the distribution and voluntary employment of best practices and threat information.

The Contact Group on Piracy off the Coast of Somalia reaffirms its respect for Somalia's sovereignty, territorial integrity and sovereign rights over natural resources, and its participants ensure that their flagged vessels respect these rights.

The Contact Group offers participation to any nation or international organization making a tangible contribution to the counter-piracy effort, or any country significantly affected by piracy off the coast of Somalia. As such, the Contact Group extends invitations to Belgium, Norway, Portugal, Sweden and the League of Arab States.

The Contact Group identified six related focus areas: improving operational and information support for counter-piracy operations; establishing a counter-piracy coordination mechanism; strengthening judicial frameworks for the arrest, prosecution and detention of pirates; strengthening commercial shipping self-awareness and other capabilities; pursuing improved diplomatic and public information efforts; and tracking financial flows related to piracy.

The participants agreed to establish four working groups in which all Contact Group parties may participate, to address the focus areas. Working Group 1 will address activities related to military and operational coordination and information-sharing and the establishment of the regional coordination centre, and will be convened by the United Kingdom with the support of the International Maritime Organization. Denmark will convene Working Group 2 to address judicial aspects of piracy with the support of the United Nations Office on Drugs and Crime. The United States agreed to convene Working Group 3 to strengthen shipping self-awareness and other capabilities, with the support of IMO. Egypt agreed to convene Working Group 4 to improve diplomatic and public information efforts on all aspects of piracy.

Additionally, participating States affirmed the importance of attention to financial flows to pirates and their activities and decided to remain seized of the issue. The Contact Group also calls on international bodies that track illicit financial flows to examine the question of such flows to pirates and their operations and to report as appropriate to the Contact Group and other groups concerned with the issue.

The Contact Group on Piracy off the Coast of Somalia agreed to establish a small secretariat to support scheduling and reporting on the outcomes of meetings of the Contact Group and the working groups. The Contact Group requests appropriate and relevant organizations and agencies to contribute to the secretariat.

The Contact Group on Piracy off the Coast of Somalia recognizes that the international community of interest is far greater than the participating States in the Contact Group, and pledges to inform the larger community of all significant Contact Group conclusions, rationales and activities. It recognizes that effective coordination of activities to eradicate piracy requires coordination among the entire international community, and so remains open to receiving input from members and non-members of the Contact Group.

The Contact Group on Piracy off the Coast of Somalia plans to meet again in March 2009 to review the progress and direction of the four working groups and other developments. It will consider, at that time, the addition of new members.

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Security Council

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Agenda item 21
Question of Cyprus

Security Council
Sixty-fourth year

Letter dated 6 February 2009 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 10 December 2008 addressed to you, I have the honour to draw your attention to new violations of the international air traffic regulations and the national airspace of the Republic of Cyprus by military aircraft of the Turkish Air Force, recorded from 2 December 2008 to 28 January 2009, as follows:

On 2 December 2008, two CN-235 Turkish military aircraft violated twice the international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 3 December 2008, two C-130 and two CN-235 Turkish military aircraft violated four times the international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 4 December 2008, two F-16 Turkish military aircraft violated the international air traffic regulations.

On 5 December 2008, two Cougar Turkish military aircraft violated twice the international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 6 December 2008, two CN-235 and two PA-42 (Piper) Turkish military aircraft violated four times the international air traffic regulations and four times the national airspace of the Republic of Cyprus.

On 11 December 2008, two CN-235 Turkish military aircraft violated twice the international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 16 December 2008, three Cougar Turkish military aircraft violated three times the international air traffic regulations and three times the national airspace of the Republic of Cyprus.

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On 17 December 2008, two F-16 Turkish military aircraft violated the international air traffic regulations, and one C-160 and two Cougar Turkish military aircraft violated four times the international air traffic regulations and four times the national airspace of the Republic of Cyprus.

On 18 December 2008, two F-16 and one Cougar Turkish military aircraft violated twice the international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 19 December 2008, two F-16 aircraft violated the international air traffic regulations, and one CN-235 and two Cougar Turkish military aircraft violated three times the international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 20 December 2008, two Cougar Turkish military aircraft violated twice the international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 24, 25 and 26 December 2008, one B-200 and four Cougar Turkish military aircraft violated five times the international air traffic regulations and five times the national airspace of the Republic of Cyprus.

On 2 January 2009, two Cougar Turkish military aircraft violated twice the international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 7 January 2009, two C-130 and one CN-235 Turkish military aircraft violated three times the international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 8 January 2009, two Cougar Turkish military aircraft violated twice the international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 13 January 2009, one CN-235 Turkish military aircraft violated the international air traffic regulations and the national airspace of the Republic of Cyprus.

On 14 January 2009, two Cougar Turkish military aircraft violated twice the international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 15 January 2009, one C-160 and two Cougar Turkish military aircraft violated four times the international traffic regulations and four times the national airspace of the Republic of Cyprus.

On 16 January 2009, two Cougar Turkish military aircraft violated twice the international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 19 January 2009, one C-650 and one Cougar Turkish military aircraft violated three times the international air traffic regulations and three times the national airspace of the Republic of Cyprus.

On 20 January 2009, one CN-235 and three Cougar Turkish military aircraft violated five times the international air traffic regulations and five times the national airspace of the Republic of Cyprus.

On 21 January 2009, one CN-235 and two Cougar Turkish military aircraft violated four times the international air traffic regulations and four times the national airspace of the Republic of Cyprus.

On 22 January 2009, two C-160 Turkish military aircraft violated twice the international air traffic regulations and twice the national airspace of the Republic of Cyprus.

On 27 January 2009, four Cougar Turkish military aircraft violated three times the international air traffic regulations and three times the national airspace of the Republic of Cyprus.

On 28 January 2009, one B-200, one C-130 and one C-160 Turkish military aircraft violated six times the international air traffic regulations and six times the national airspace of the Republic of Cyprus.

On behalf of my Government, I strongly protest against the aforementioned violations by Turkey and call for their immediate cessation. Turkey's policy of non-observance of rules and regulations governing international aviation continues to gravely jeopardize flight safety and perpetuate insecurity and apprehension on the island. Furthermore, Turkey's persistent provocations, aimed at consolidating the de facto division of Cyprus and further strengthening the illegal secessionist entity in the occupied areas, seriously undermine all efforts towards reunification and reconciliation.

The Government of Turkey should heed the call of the international community, abide by the Charter of the United Nations and respect the sovereignty, independence and territorial integrity of the Republic of Cyprus, thus contributing to the creation of the required conditions for the achievement of a just and viable solution to the Cyprus problem.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 21, and of the Security Council.

(*Signed*) Minas A. **Hadjimichael**